

**REMARKS**

In accordance with the foregoing, claims 1, 5, 16 and 17 have been amended, and claims 2, 7, 18, and 19 have been cancelled without prejudice or disclaimer relative to the Response filed on April 4, 2007, which is accordingly entered with the accompanying Request for Continued Examination. Claims 1, 3-5, 8, 10-14, 16, 17, and 20 are pending and under consideration. No new matter is presented in this Amendment.

**REJECTIONS UNDER OBVIOUSNESS TYPE DOUBLE PATENTING:**

On pages 2-3 of the Office Action, the Examiner provisionally rejects claims 1-8, 10-14 and 16-20 under the judicially created doctrine of obviousness-type double patenting in view of selected claims of copending Application No. 10/806,107. While it is believed that the rejection is premature since U.S. Patent Application No. 10/806,107 has not yet been issued as a patent, and since claims 1-8, 10-14 and 16-20 of the instant application have not yet been indicated as allowable, in view of the enclosed Terminal Disclaimer, it is respectfully requested that the Examiner reconsider and withdraw the rejection.

**REJECTIONS UNDER 35 U.S.C. §102:**

On pages 3-4 of the Office Action, the Examiner rejects claims 10, 12 and 19 under 35 U.S.C. §102(e) in view of Ichihara (U.S. Patent No. 6,396,792). The rejection is respectfully traversed and reconsideration is respectfully requested.

As a point of clarification, claim 19 has been cancelled without prejudice or disclaimer. As such, it is respectfully submitted that the rejection is deemed moot.

As acknowledged by the Examiner in the Advisory Action, claims 10 and 12 are allowable. As such, it is respectfully submitted that the rejection is overcome.

**REJECTIONS UNDER 35 U.S.C. §103:**

On pages 5-7 of the Office Action, the Examiner rejects claims 1, 3-5 and 7 under 35 U.S.C. §103(a) in view of Ohno et al. (U.S. Patent No. 5,150,351) and Ichihara. The rejection is respectfully traversed and reconsideration is respectfully requested.

As acknowledged by the Examiner in the Advisory Action, claims 2 and 16-18 contain allowable subject matter. As claims 1 and 5 have been amended to incorporate the features of claims 2 and 18, it is respectfully submitted that the rejection is overcome.

Further, claim 7 has been cancelled without prejudice or disclaimer. As such, it is respectfully submitted that the rejection is moot.

It is respectfully submitted that the combination does not disclose or suggest the invention as recited in claims 3 and 4 due at least to their depending from claim 1.

On page 7 of the Office Action, the Examiner rejects claim 8 under 35 U.S.C. §103(a) in view of Ohno et al., Ichihara, and Clark et al. (U.S. Patent 5,802,031). The rejection is respectfully traversed and reconsideration is requested.

Even assuming arguendo that the Examiner's characterization of Clark et al. is correct, the Examiner does not rely upon Clark et al. as curing the above-noted deficiency of the combination of Ohno et al. and Ichihara as applied to claim of claim 1, from which claim 8 depends. As such, it is respectfully submitted that the combination does not suggest the features of claim 8.

On pages 7-9 of the Office Action, the Examiner rejects claims 10, 11, 13, 14 and 20 under 35 U.S.C. §103(a) in view of Ohno et al. and Furumiya et al. (U.S. Patent 5,490,126). The rejection is respectfully traversed and reconsideration is requested.

As acknowledged by the Examiner in the Advisory Action, claims 10-14 and 20 are allowed. As such, it is respectfully submitted that the rejection is overcome.

**ALLOWABLE SUBJECT MATTER:**

In the Advisory Action, the Examiner objects to claims 2 and 16-18 as being otherwise allowable, and allows claims 10-14 and 20. Claims 2 and 18 have been cancelled without prejudice or disclaimer, and claim 16 has been made independent. As such, it is respectfully requested that the objections be reconsidered and withdrawn.

**CONCLUSION:**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

**Application No. 10/806,318**


**Docket No.: 1293.1278C4**

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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